

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MICHAEL LASANE,	:	
	:	
Petitioner,	:	Civ. No. 15-1303 (PGS)
	:	
v.	:	
	:	
STEPHEN D'ILIO, et al.,	:	MEMORANDUM & ORDER
	:	
Respondents.	:	
	:	

Petitioner is a state prisoner proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On April 13, 2016, this Court administratively terminated this action so that Petitioner could present additional claims in state court. (*See* ECF 15). Petitioner was ordered to notify this Court within thirty days of final resolution of his state court proceedings. (*See id.* at 2).

On February 28, 2022, Petitioner notified this Court that his state court proceedings concluded on February 8, 2022 when the New Jersey Supreme Court denied certification. (*See* ECF 16). Therefore, the Clerk shall be ordered to reopen this case.

At the present time though, it is not clear whether Petitioner wishes to stand on his original § 2254 habeas petition or seek to file an amended § 2254 habeas petition. Therefore, Petitioner shall be given a period in which to so inform this Court before this action will move forward. Should Petitioner seek to add claims not in his original habeas petition, any amended habeas petition needs to include all claims he wishes this Court to analyze.

Additionally, given that it has been almost six years since this action was administratively terminated, and Mr. John Charles Tassini, Esq. is no longer associated with the Ocean County Prosecutor's Office, the Clerk shall serve a copy of this memorandum and order on Bradley D.

Billhimer, Ocean County Prosecutor; and Christopher Heisler, Senior Assistant Ocean County Prosecutor at the Ocean County Prosecutor's Office by certified mail.

Accordingly, IT IS this 15th day of March, 2022,

ORDERED that the Clerk shall reopen this action; and it is further

ORDERED that Petitioner shall have thirty (30) days in which to file an all-inclusive amended habeas petition should he elect to do so; Petitioner's failure to file an all-inclusive amended habeas petition within thirty (30) days shall be construed by this Court as Petitioner's wish to stand and move forward only with the claims in his original habeas petition (ECF 1); and it is further

ORDERED that the Clerk shall serve this memorandum and order on Bradley D. Billhimer, Ocean County Prosecutor; and Christopher Heisler, Senior Assistant Ocean County Prosecutor at 119 Hooper Avenue, Toms River, New Jersey 08753, by certified mail; and it is further

ORDERED that within seven (7) days of receipt of this memorandum and order, the Assistant Prosecutor at the Ocean County Prosecutor's Office assigned this case shall enter a notice of appearance on Respondents' behalf; and it is further

ORDERED that the Clerk shall serve on Petitioner by regular U.S mail: (1) this memorandum and order; and (2) a blank petition under 28 U.S.C. § 2254 for a writ of habeas corpus (AO 241 (modified):DNJ-Habeas-008(Rev.01-2014).¹

s/Peter G. Sheridan

PETER G. SHERIDAN, U.S.D.J.

¹ The blank habeas petition is being sent to Petitioner as a courtesy in the event he elects to file an all-inclusive amended habeas petition.